



08-22-02 #415868/1631..  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stoughton *et al.*

Confirmation No. : 5433

Serial No.: 10/058,696

Group Art Unit: 1631

Filed: January 28, 2002

Examiner: To be assigned

For: STATISTICAL COMBINING OF CELL EXPRESSION PROFILES Attorney Docket No.: 9301-168-999

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56 AND 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed on the attached revised form PTO-1449 entitled "List of References Cited by Applicant." Pursuant to 37 C.F.R. § 1.98(d), the Examiner's attention is directed to the file of Application Serial No. 09/222,596, to which the instant application claims priority under 35 U.S.C. § 120, for copies of references AA-AG; and AJ-AT. Copies of references AH and AI are enclosed


Identification of the listed references is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited by Applicant" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review all the references identified on the attached revised form PTO-1449, and that they be made of record in the file history of the above-captioned application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP deposit account no. 16-1150; a duplicate of this sheet is enclosed.

Respectfully submitted,

Date: August 21, 2002

 32,605  
Adriane M. Antler (Reg. No.)  
PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090



## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

9301-168-999

SERIAL NO.

10/058,696

APPLICANT

Stoughton *et al.*

FILING DATE

January 28, 2002

GROUP

1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,510,270	04/23/96	Fodor <i>et al.</i>			
	AB	5,552,270	09/03/96	Khrapko <i>et al.</i>			
	AC	5,569,588	10/29/96	Ashby and Rine			
	AD	5,777,888	07/07/98	Rine and Ashby			
	AE	5,800,992	10/01/98	Fodor <i>et al.</i>			
	AF	5,965,352	10/12/99	Stoughton <i>et al.</i>			
	AG	6,245,517	6/12/01	Chen <i>et al.</i>			
	AH	6,351,712	2/26/02	Stoughton <i>et al.</i>			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AI	International Search Report PCT/US99/30837	2/28/00	PCT				

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AJ	Blanchard <i>et al.</i> , 1996, "Sequence to array: Probing the genome's secrets," Nature Biotechnology 14:164
	AK	Blanchard <i>et al.</i> , 1996, "High-Density Oligonucleotide arrays," Biosensors & Bioelectronics 11: 687-690
	AL	Chait, 1996, "Trawling for proteins in the post-genome era," Nat. Biotech. 14:1544
	AM	DeRisi <i>et al.</i> , 1996, "Use of a cDNA microarray to analyze gene expression patterns in human cancer," Nature Genetics 14:457-460
	AN	DeRisi <i>et al.</i> , 1997, "Exploring the metabolic and genetic control of gene expression on a genomic scale," Science 278:680-686
	AO	Lockhart <i>et al.</i> , 1996, "Expression monitoring by hybridization to high-density oligonucleotide arrays," Nature Biotechnology 14:1675-1680
	AP	Marton <i>et al.</i> , 1998, "Drug target validation and identification of secondary drug target effects using DNA microarrays," Nat. Med. 4:1293-1301
	AQ	McCormack <i>et al.</i> , 1997, "Direct analysis and identification of proteins in mixtures by LC/MS/MS and database searching at low-femtomole level," Anal. Chem. 69:767-776
	AR	Schena <i>et al.</i> , 1995, "Quantitative monitoring of gene expression patterns with a complementary DNA micro-array," Science 270:467-470
	AS	Schena <i>et al.</i> , 1996, "Parallel human genome analysis; microarray-based expression of 1000 genes," Proc. Natl. Acad. Sci. USA 93:10614-10619
	AT	Shalon <i>et al.</i> , 1996, "A DNA microarray system for analyzing complex DNA samples using two-color fluorescent probe hybridization," Genome Res. 6:639-645

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.